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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

17 CR 630 (ER)

5 MARK S. SCOTT,

6 Defendant.

CONFERENCE

7 -----x

8 New York, N.Y.
9 November 15, 2018
11:03 a.m.

10 Before:

11 HON. EDGARDO RAMOS,

12 District Judge

13
14 APPEARANCES

15 GEOFFREY S. BERMAN,

16 United States Attorney for the
Southern District of New York

17 CHRISTOPHER DiMASE

NICHOLAS FOLLY

18 Assistant United States Attorneys

19 JULIETA V. LOZANO

Special Assistant United States Attorney

20 DAVID M. GARVIN

JAMIE NOBLES

21 Attorneys for Defendant

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1 (Case called)

2 MR. DiMASE: Yes. Good morning, your Honor.

3 Christopher DiMase, for the government.

4 Also present at counsel table are Special Assistant
5 United States Attorney Julieta Lozano from the Manhattan DA's
6 office, and AUSA Nicholas Folly.

7 THE COURT: Good morning.

8 MS. LOZANO: Good morning.

9 MR. FOLLY: Good morning.

10 MR. GARVIN: Good morning, your Honor.

11 David Garvin, on behalf of Mr. Scott, who is present
12 to my far right.

13 MR. NOBLES: And James Nobles, also present for
14 Mr. Scott.

15 THE COURT: And good morning to you all.

16 I take it that Covington & Burling is out?

17 MR. NOBLES: Judge, we've both been fully retained and
18 will be in the matter for the rest of the case.

19 MR. GARVIN: Yes, your Honor.

20 THE COURT: Okay.

21 This matter is on for a status. So Mr. DiMase, did I
22 pronounce that correctly?

23 MR. DiMASE: Yes, you did, your Honor.

24 THE COURT: Why don't you tell me where we are.

25 MR. DiMASE: Your Honor, we've produced a significant

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1 quantity of discovery to counsel; it was first produced to Arlo
2 Devlin-Brown at Covington when he was counsel of record. More
3 recently we've been producing the materials to Mr. Garvin.

4 Ms. Lozano is prepared to speak about the general
5 categories of evidence that we've already turned over. There
6 are a couple of additional significant pieces still remaining,
7 and we're getting them out on a rolling basis.

8 In particular, there was a substantial amount of
9 digital evidence that was recovered pursuant to search warrants
10 at the time of Mr. Scott's arrest back in September, both from
11 the Florida residence and from the Massachusetts residence. I
12 believe the Florida residence amounted to somewhere in the
13 vicinity of two terabytes of data on a number of devices and
14 computers; and in Massachusetts it's three terabytes of data.
15 So these are really large productions.

16 We've gotten a two-terabyte drive from counsel; we are
17 copying the Florida data down to that drive and expect to
18 produce it back to counsel very soon.

19 With the Massachusetts data, it took a little bit
20 longer to process that, but we now have it all imaged. And we
21 have asked for a three-terabyte drive from counsel to copy that
22 data onto the drive and return it to them.

23 So we are in the process of producing those materials
24 to the defense as we speak.

25 THE COURT: And assuming you get the drive from the

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1 defendants on a fairly quick basis, when will they have that
2 back?

3 MR. DiMASE: Well, we already have the two-terabyte
4 drive. I anticipate that will probably go back out to them
5 with the discovery -- with the electronic data from Florida
6 probably next week.

7 THE COURT: Okay.

8 MR. DiMASE: Although with the Thanksgiving holiday,
9 it's possible it could be early the following week. But we'll
10 make our best efforts to get it out for Thanksgiving.

11 The three-terabyte drive, we don't have the drive yet.
12 We can probably turn it around in a week or two once we have
13 the drive, but we are waiting on the drive from counsel; I
14 expect that they'll get that to us soon. It is a substantial
15 amount of data; my understanding is it does take some time to
16 actually copy it over.

17 THE COURT: Does it take as long as a week or two?

18 MR. DiMASE: Well, the data is currently in the
19 possession of the FBI, not the U.S. Attorney's Office. So I'm
20 building in a little bit of time to get the drive to the FBI,
21 get them to copy it, give it back to us, and then get it to
22 counsel. And I should note, importantly, that these materials
23 were recovered from his residence. Mr. Scott, as the Court
24 well knows, was a practicing attorney, still remains barred in
25 at least one state, and our position is that these materials

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1 also need to be produced to counsel through our privilege
2 filter review team, so that adds an additional step. Not that
3 our review of it will have anything to do with the production
4 of it to counsel, but there are going to be issues around
5 reviewing it through the privilege review team and discussing
6 with counsel various different privilege issues as we go
7 forward.

8 In addition to those drives, your Honor, there is a
9 set of around 6500 emails that either were sent by, received
10 by, or in one way or another copied Mr. Scott that we have in
11 our databases. Again, there's a mix of potentially privileged
12 materials and nonprivileged materials. We expect to get that
13 production out to counsel later today. And the materials that
14 are potentially privileged will be marked as such, and the
15 nonprivileged materials marked as such, so that that will
16 enable and facilitate the parties discussing the privilege
17 issues, knowing what's what.

18 THE COURT: How long do you anticipate that that
19 process will take?

20 MR. DiMASE: You know, your Honor, I don't know
21 exactly what the defense position is going to be on these
22 privilege issues, so it's very hard for me to provide an
23 estimate in that regard.

24 THE COURT: Okay. But that process is ongoing and
25 you're communicating with defense counsel in that regard?

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1 MR. DiMASE: The one other piece of privileged
2 material that's already been turned over is I think
3 approximately eight boxes of documents that were recovered from
4 the Florida residence that are also in the filter team review
5 process. They already have the scanned copies of those
6 documents. They also have a full copy of the post-arrest
7 statement made by Mr. Scott, whereas the government case team
8 has only received a copy of the filter-reviewed version of that
9 statement.

10 So those are the potentially privileged materials that
11 have already been turned over. I'll be frank with the Court,
12 we have not yet engaged with counsel regarding privilege issues
13 around those materials, in part because counsel was only
14 recently retained in place of Covington & Burling, and that
15 process took some time. It wasn't clear who exactly was going
16 to be representing Mr. Scott.

17 I think now that Mr. Nobles and Mr. Garvin are on the
18 case, we can have a discussion around those documents and the
19 statement. And as we produce these drives and the emails, we
20 will obviously have further discussions around those issues as
21 well.

22 THE COURT: So discovery in this case will likely take
23 at least a couple more months?

24 MR. DiMASE: I think that's right. And the privilege
25 issues will complicate some of these discovery questions, but

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1 we will work as quickly as we can through them, your Honor.

2 THE COURT: Okay.

3 MR. DiMASE: I did want to say that there are a couple
4 of other pieces of evidence. I want to be clear, and
5 Ms. Lozano is prepared to address this, if necessary, we have
6 produced a massive amount of discovery already; and there just
7 is a very substantial amount of discovery in this matter. I
8 think it's fair to say it's more than enough to keep counsel
9 busy, but we are getting discovery out on a rolling basis as
10 quickly as we can.

11 In addition to the items I've described, the drives
12 and the emails that are in process, there are some other
13 emails -- not, I think, a massive quantity, but a quantity of
14 other emails not copying Mr. Scott or sent or received by
15 Mr. Scott -- that we intend to produce, along with a larger
16 collection of bank records. What we've done is to produce the
17 bank records that are really most pertinent to Mr. Scott, the
18 accounts that he controlled or controlled through his
19 companies. And so that, in and of itself, is a very large
20 production.

21 THE COURT: I forget, what was Mr. Scott's practice?

22 MR. DiMASE: In terms of his law practice, your Honor?

23 THE COURT: Yes.

24 MR. DiMASE: I believe he was a transactional lawyer
25 who largely dealt with private equity issues and other legal

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1 issues around that practice area. But he has not been -- he
2 was employed by Locke Lord LLP until approximately August of
3 2016. And since then, he has not been employed by a law firm.
4 Our belief, based on the investigation, is that since then he's
5 primarily been operating these, quote/unquote, hedge funds or
6 private equity funds that were used to facilitate the money
7 laundering scheme. But that has been his main employment, for
8 lack of a better word, since that time.

9 THE COURT: But the government is acknowledging that
10 even with respect -- or is the government acknowledging that
11 even with respect to those clients, there are privilege issues
12 that need to be addressed?

13 MR. DiMASE: When you say "clients," your Honor,
14 you're referring to --

15 THE COURT: The hedge fund.

16 MR. DiMASE: -- the people who worked with him at the
17 hedge fund?

18 So I think that, by and large, the government's
19 position is that those transactions were financial in nature
20 and largely not privileged. That being said, there do appear
21 to be occasions where Mr. Scott is either acting in a sort of
22 quasi attorney capacity or connecting members of this fraud
23 scheme with other attorneys who then potentially provide legal
24 advice.

25 There is a very serious question that we may raise to

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1 the Court at some point, depending on our conversations with
2 counsel, about whether the crime fraud exception applies to
3 those communications. The privilege review team on our end has
4 already identified a number of emails that may fall into that
5 category; and I think there is an intention, once these emails
6 and other materials are produced, to begin a conversation about
7 defense counsel's position with respect to the privilege and
8 decide whether there is a live issue to bring to the Court or
9 not.

10 THE COURT: Okay.

11 MR. DiMASE: But to answer the Court's question more
12 directly, I think largely the answer is no, we believe he was
13 acting primarily as a financial adviser and hedge fund manager,
14 as opposed to a lawyer. But we have reviewed these materials
15 on an individual basis, and the privilege team has made
16 decisions where they view Mr. Scott as acting in a legal
17 capacity, kept those on the other side of the wall from the
18 case team.

19 THE COURT: Okay.

20 MR. DiMASE: So as I was saying with respect to
21 remaining discovery, there are some additional emails, some
22 additional bank records. I don't mean this to be an exhaustive
23 list, but the main categories, along with there are some
24 outstanding Mutual Legal Assistance Treaty requests, some of
25 which are particularly pertinent to Mr. Scott. We just don't

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1 have the materials yet, so we are unable to produce them. We
2 are doing everything we can to expedite those responses. But
3 we're at the mercy of the foreign jurisdictions.

4 THE COURT: Those MLATs were sent out when
5 approximately?

6 MR. DiMASE: They vary. The one that is probably most
7 pertinent was to Ireland. And I think that was probably like
8 early 2018, but I don't know the exact date, your Honor; I
9 don't have that in front of me. And I think that there will be
10 a number of emails that are not privileged, because Mr. Scott
11 is communicating with people at the bank, so they are not going
12 to be privileged in any way. Somewhere between 800 and
13 possibly 1,000 emails with that bank that are likely to be
14 quite relevant and we're working to get those as quickly as we
15 can.

16 THE COURT: When you say "that bank," you mean a bank
17 in Ireland?

18 MR. DiMASE: The Bank of Ireland --

19 THE COURT: Bank of Ireland, okay.

20 MR. DiMASE: Is the bank in question.

21 So just to give the Court a tiny bit more context, our
22 investigation has demonstrated that Mr. Scott used these hedge
23 funds or private equity funds in the Cayman Islands to receive
24 a lot of these fraud proceeds, and then moved a substantial
25 amount of that money to accounts held by similar entities,

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1 similar private equity fund/hedge fund entities with the same
2 name, Fenero, at the Bank of Ireland. And that is why that
3 evidence may be particularly relevant.

4 We've turned over all of the records that we've gotten
5 from the Cayman Islands so far that deal with the accounts, his
6 correspondence with the bank and so forth. We've turned over
7 all of the records that we've received from the fund
8 administrator that managed those funds. So defense has all of
9 those records. But we don't have a full production from the
10 Bank of Ireland at this stage.

11 THE COURT: Okay. Thank you.

12 MR. DiMASE: You're welcome.

13 THE COURT: Mr. Garvin or Mr. Nobles?

14 MR. GARVIN: Yes, your Honor.

15 THE COURT: Is it Nobles?

16 MR. NOBLES: It's Nobles, your Honor.

17 THE COURT: Nobles. Thank you.

18 Mr. Garvin.

19 MR. GARVIN: Your Honor, I would concur with counsel
20 on most everything that counsel just reported to this Court.

21 Just for clarity's sake, we are not in possession, to
22 my knowledge, of the 6500 emails that relate to Mr. Scott.
23 That is going to be forthcoming in the near future.

24 MR. DiMASE: We anticipate producing that probably
25 later today or tomorrow morning, so very soon.

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1 THE COURT: Okay.

2 MR. GARVIN: But I do concur with what counsel
3 reported to this Court concerning the importance of those
4 emails and, in fact, that they are likely to raise issues
5 concerning privilege.

6 With regards to the two-terabyte drive, I also concur
7 that we have provided that upon request, and that it's in the
8 process. And we agree that it seems like the government has
9 been more than reasonable with regard to the production of the
10 two-terabyte drive.

11 With regard to the three-terabyte drive for the
12 Massachusetts documents, counsel has discussed this issue with
13 me on more than one occasion. And it was only recently that
14 apparently the government was able to determine the actual
15 size, voluminous production. And once they were able to
16 determine that, this week, I believe, on Tuesday they were able
17 to notify me that do not send another two-terabyte drive, you
18 better send a three-terabyte drive.

19 So I understand, contacting my office this morning,
20 they were in the process of acquiring that and sending it out
21 Federal Express today. So I would hope that it arrives at the
22 United States Attorney's Office tomorrow, but, at the latest,
23 on Monday.

24 THE COURT: Okay.

25 MR. GARVIN: Respectfully, your Honor, I also -- I see

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1 coming in the horizon, not just the snowstorm for today, but
2 any arguments that may take place regarding extra territorial
3 jurisdiction. And I do think that that would probably be best
4 served to be addressed by this Honorable Court as a primary
5 item before we get into what other types of motions the defense
6 might feel are appropriate in this case.

7 Respectfully --

8 THE COURT: Extraterritorial issues involving the laws
9 of those particular jurisdictions?

10 MR. GARVIN: Well, in particular in this case, the
11 application of our laws to transactions that occurred in
12 Ireland, the Cayman Islands, and other locations. I think that
13 there is a dearth of activity in the United States, and I think
14 it may appear that there is less than a *de minimis* amount of
15 intentional activity. So it may be something that has to be
16 addressed.

17 Also we need to research into the underlying activity
18 upon which the money laundering charge is based. And in this
19 case, if it is wire fraud, which we anticipate it's likely to
20 be, then we get into an argument perhaps as to the
21 extraterritorial nature of Congress's intent with regard to the
22 wire fraud statute. We've been looking at that tangentially,
23 because we haven't had the discovery to make a determination
24 whether a good-faith basis exists for making these types of
25 arguments.

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1 THE COURT: I haven't looked at the indictment in a
2 little bit, but isn't the specified unlawful activity indicated
3 in there?

4 MR. GARVIN: I'm sorry, your Honor?

5 THE COURT: Isn't the specified unlawful activity
6 indicated in the indictment?

7 MR. GARVIN: Your Honor, I would say it does summarily
8 state specified unlawful activity, but it doesn't indicate what
9 unlawful activity, that is, with the specificity that we
10 believe at this stage we need to look into so as to not waive
11 any of Mr. Scott's rights as to that issue.

12 MR. DiMASE: Your Honor, I'd like to address a couple
13 of those issues.

14 THE COURT: Why don't we let Mr. Garvin finish.

15 MR. DiMASE: Of course.

16 MR. GARVIN: Yes, your Honor.

17 There are no pending motions other than one that I
18 very recently filed with regard to a request to modify the
19 condition of bond from a requirement of home detention to a
20 requirement of curfew. But that matter was only recently
21 filed. And I did note in the motion that counsel for the
22 United States has discussed this with me and has expressed that
23 they oppose any such modification.

24 THE COURT: Let me ask you, since we are all here, why
25 do you need the modification? It seems to me that what he's

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1 allowed to do is fairly expansive. He can do other things, as
2 long as the pretrial officer approves it. What more do you
3 need? Why do you need more?

4 MR. GARVIN: Yes, your Honor.

5 The reason why, honestly, one of the main factors was
6 to attempt to protect Mr. Scott from violating the order
7 unintentionally. I will tell you that, for example, the
8 battery on his monitor went dead the other day and he didn't
9 have a replacement battery, and it created much concern on his
10 part. And he has to contact his pretrial services officer, who
11 has a very large quantity of other defendants that he has to
12 monitor. And it makes it sometimes difficult for Mr. Scott to
13 accomplish the contact, get the approval prior to the meeting
14 that is scheduled.

15 Mr. Scott discussed this with his pretrial services
16 officer. And between the two of them, they said, Well,
17 unfortunately the way that your bond appears, we have to go
18 through this process. And while it may not make a huge amount
19 of difference -- and I did come to the same conclusion that
20 this Honorable Court just raised, there doesn't seem to be a
21 big difference here when you read them carefully -- it does
22 free up both the supervised release officer -- or, excuse me,
23 the pretrial services officer and Mr. Scott as far as the
24 constant notice and constant waiting for a reply.

25 I don't think that it jeopardizes the government much,

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1 because, as this Court has observed, the way it is written, the
2 pretrial service officer's discretion controls now and would
3 continue to control if the modification was made. So we do not
4 believe it increases any risk of flight; it does not cause
5 prejudice to the United States. And it does relieve the
6 pretrial services officer of having to reply back.

7 THE COURT: I'm not concerned about the pretrial
8 services officer's workload.

9 MR. GARVIN: Yes, sir.

10 Well, that would make it more convenient for
11 Mr. Scott.

12 And I would say this, your Honor: As counsel has set
13 out for the Court, there is a mountain of discovery in this
14 particular case. And I envision that Mr. Scott is going to be
15 spending an awful lot of time going back and forth to my
16 office.

17 THE COURT: But as the bond currently exists or as it
18 currently states, he doesn't need approval in order to go to
19 your office.

20 MR. GARVIN: Well, I can tell you, your Honor, he has
21 been required to seek approval, and I've been filling out the
22 emails and sending them in and waiting for the approval. A
23 position has been taken by the pretrial services office that he
24 needs approval. Even though those items, they are enumerated
25 in the bond, would appear to me to be expressly permitted,

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1 unfortunately, that is what is occurring.

2 THE COURT: So the pretrial services officer is
3 reading this provision to require advanced approval of him to
4 leave the house to do any of these things?

5 MR. GARVIN: I believe that is the case, but I can
6 only speak directly to the legal visits, because I've had to
7 prepare the emails requesting permission that he come to my
8 office.

9 THE COURT: Let me ask Mr. DiMase about this, because
10 this seems to be an easy fix.

11 Mr. DiMase?

12 MR. DiMASE: Judge, I think that is the way that the
13 order is intended, actually, to require the pre-approval.

14 And this speaks to the risk of flight. The idea is
15 that the pretrial officer should know where Mr. Scott is at all
16 times. And it doesn't seem like a huge imposition for
17 Mr. Scott to inform the pretrial officer by email or phone or
18 text message that he's going to meet with his attorney.
19 Otherwise, the home detention isn't -- or home -- I forget if
20 it's -- home detention isn't really home detention. The point
21 of home detention is to know where Mr. Scott is. So he is
22 either home or the pretrial officer knows where else he might
23 be.

24 So we would argue that that was the original intent of
25 the order, and that it should remain in place that way.

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1 Mr. Garvin hasn't really expressed any changed circumstance
2 here. I don't think the fact that he needs to charge his
3 battery more regularly represents a changed circumstance that
4 would support a change in bail conditions.

5 And I do think it increases a risk of flight, I
6 disagree with Mr. Garvin on that point. Home detention is some
7 assurance that we all know where Mr. Scott is. A curfew is
8 just he can do whatever he wants all day long without any
9 approval or pre-approval, and then come home at the end of the
10 day, and he's unaccounted for during that time in between.

11 I would note also that the battery -- I think the
12 battery and the curfew would be the same problem; he would
13 still have to wear the same GPS device.

14 THE COURT: I'm not concerned at all about the issue
15 that Mr. Garvin raised about inadvertent violation. At least
16 as far as I'm concerned, if he comes in and he says that he
17 violated for a reason like that, I'm not going to violate him.
18 This can all be handled in a very rational, straightforward,
19 intelligent way. So I'm not concerned about that at all.

20 I do think that this is an easy fix. As Mr. DiMase
21 has indicated, there's been no change in conditions. As I
22 recall from the bail arguments that were made previously, given
23 the nature of the offense, the amount of money that was
24 involved, and Mr. Scott's contacts in places other than the
25 United States, I'm not going to change the conditions as they

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1 currently stand.

2 Mr. DiMase, you said you wanted to address some other
3 issues?

4 MR. DiMASE: Just very briefly, your Honor.

5 I don't think we've actually had any conversations
6 with Mr. Garvin and Mr. Nobles yet about the jurisdictional
7 issues that were raised today, and that's obviously fine.

8 Just to be clear -- and we can litigate this in motion
9 practice -- Mr. Scott is living here in the United States
10 during the entirety of this conspiracy and committed the crimes
11 from the United States. There are many, many instances of
12 money flowing through these accounts, out and into these
13 accounts from the United States and into the United States.

14 Actually, I don't think the indictment alleges this,
15 but there's also evidence that he brought a substantial amount
16 of the proceeds of the crime into the United States, and then
17 used those monies to make purchases, fund bank accounts, and so
18 on and so forth. So it is our position that there is ample
19 jurisdictional evidence here.

20 But to the extent that this is -- and briefly on wire
21 fraud, your Honor, the government makes the same argument.
22 There are ample -- there are many, many instances of U.S.
23 victims wiring money to this fraud scheme from within the
24 United States and being defrauded as a result.

25 THE COURT: Is that the specified unlawful activity?

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1 MR. DiMASE: That's what I was going to address, your
2 Honor.

3 So we looked at the indictment. The indictment does
4 very specifically indicate that the Ponzi scheme, the pyramid
5 scheme at issue here is the underlying specified unlawful
6 activity, but doesn't say specifically "wire fraud." And we're
7 happy to send an email or a bill of particulars to Mr. Garvin
8 and Mr. Nobles indicating that our theory at this stage is that
9 it is a wire fraud. We may obviously go back and add some
10 additional theory, but that is the theory that we are relying
11 on in the indictment as charged now.

12 THE COURT: Okay.

13 MR. DiMASE: And I do think that it may make sense, to
14 the extent that there is a jurisdictional argument here, for
15 that to be litigated relatively early on in a motion to
16 dismiss. And we are happy to -- once they've had a chance to
17 review the discovery materials -- make a determination on these
18 different fronts.

19 THE COURT: Right. It's probably not going to be
20 quick.

21 MR. DiMASE: But I take Mr. Garvin's point that it
22 makes sense to try to resolve this early on, because it seems
23 to be a threshold matter that we need to address.

24 THE COURT: Sure.

25 MR. DiMASE: But I would submit to the Court that

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1 there is ample evidence here of U.S. jurisdiction on both the
2 money laundering offense itself and the underlying specified
3 unlawful activity.

4 THE COURT: Mr. Garvin, anything else you wanted to
5 address?

6 MR. GARVIN: No, your Honor, other than I was going to
7 respectfully ask the Court if perhaps we could have another --
8 roll this status over or have another status scheduled sometime
9 in the near future. But I was going to specifically ask the
10 Court -- because I did have the benefit of hearing the case in
11 front of us being rescheduled -- if the case could be -- or the
12 status could be after February 4th. Both myself and
13 independently Mr. Nobles have trials in January.

14 THE COURT: I'll see you as soon as you want to be
15 seen. So after February 4th?

16 MR. GARVIN: Yes, sir.

17 THE COURT: Okay. Ms. Rivera?

18 And I'm sure you'll all be very busy between now and
19 then.

20 THE DEPUTY CLERK: February 20 at 11:30 a.m.

21 MR. DiMASE: That's fine with the government, your
22 Honor. Thank you.

23 THE COURT: Does that work for you all, Mr. Garvin?

24 MR. GARVIN: It works for me.

25 MR. NOBLES: Yes.

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1 THE COURT: Very well.

2 Mr. DiMase, anything else that we need to do today?

3 MR. DiMASE: Just one moment, your Honor, if you
4 would.

5 THE COURT: Sure.

6 MR. DiMASE: Thank you.

7 (Pause)

8 MR. DiMASE: Your Honor, just one final matter.

9 The government would request the exclusion of speedy
10 trial time from today until February 20th, to enable the
11 parties -- or the government to continue producing discovery to
12 the defense, for the defense to review those materials, make
13 determinations regarding potential motions, and to allow the
14 parties to engage in possible discussions regarding resolution
15 of the case. And finally, I would add, to discuss the ongoing
16 potential privilege issues in this matter as well.

17 THE COURT: Mr. Garvin?

18 MR. GARVIN: There is no objection, your Honor.

19 THE COURT: Very well.

20 I will exclude the time between now and February 20
21 under the Speedy Trial Act. I find that Mr. Scott's interest
22 outweigh the interests of the public in a speedy trial for the
23 reasons set forth on the record by Mr. DiMase.

24 And unless there's anything else, we're adjourned.

25 * * *